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Bhutan

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full text, please refer to the document referenced. The present report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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Please recycle

I. Background and framework

A. Scope of international obligations[1]

International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (signature only 1973)	OP-CRC-AC (2009)	ICERD
	CEDAW (1981)	OP-CRC-SC (2009)	ICESCR
	CRC (1990)	CRPD (signature only, 2010)	ICCPR
	OP-CRC-AC (signature only, 2005)		ICCPR-OP2
	OP-CRC-SC (signature only, 2005)		CAT
			OP-CAT
			ICRMW
			CRPD
			CPED
Reservations, declarations and/or understandings		OP-CRC-AC (Declaration art. 3, para 2, 2009)	
Complaint procedures, inquiry and urgent action[3]			ICERD
			OP-ICESCR
			ICCPR
			ICCPR-OP1
			CAT
			OP-CEDAW
			OP-CRC-IC
			ICRMW
			OP-CRPD
			CPED

Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Geneva Conventions of 12 August 1949[4]		Convention on the Prevention and Punishment of the Crime of Genocide
			Rome Statute of the International Criminal Court
			Palermo Protocol[5]

Status during previous cycle	*Action after review*	*Not ratified*
		Additional Protocols I, II and III to the 1949 Geneva Conventions[6]
		Conventions on refugees and stateless persons[7]
		ILO fundamental conventions[8]
		ILO Conventions Nos. 169 and 189[9]
		UNESCO Convention against Discrimination in Education

1. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Bhutan to ratify the Convention against Discrimination in Education.[10]

B. Constitutional and legislative framework

2. In its report, *A Situation Analysis of Children, Youth and Women in Bhutan in 2012*, the United Nations Children's Fund (UNICEF) stated that the Child Care and Protection Act, 2011, provided recourse against child violence, abuse and exploitation, and enshrined the best interests of the child.[11] In the mapping and assessment of the current situation of child protection in Bhutan and the National Plan of Action for Child Protection, 2012, the authors reported that for the first time a comprehensive costing was presented to legislators to inform them of the resources required for enactment of the Act. Despite this, the Government and its partners had yet to make substantial investments in child protection.[12]

3. According to the Plan of Action, the National Commission for Women and Children was in the process of drafting the rules and regulations for the Child Care and Protection Act, which were required to clarify operationalization of several of its provisions.[13] They would be needed to establish procedures to guide determination of the best interests of the child and for the establishment and regulation of an alternative care system, including foster care, guardianship and residential facilities.[14] While the recent establishment of the Bhutan National Legal Institute and support for training was noted in the report, it was indicated that only following finalization of the regulations would judicial training on the application of the Act be conducted in full.[15]

4. In the Plan of Action it was noted that although Bhutan was not a member of the International Labour Organization (ILO),[16] the regulations of the Labour and Employment Act, 2007, were to be reviewed in 2012, with the goals of strengthening the protection of children from child labour and further alignment with ILO conventions.[17] Regulations under the Labour and Employment Act specified acceptable forms of child labour and set standards for inspection of formal workplaces by labour inspectors, which were carried out in all enterprises at least once a year. Those standards did not cover informal workplaces, including domestic settings and agriculture.[18]

5. In the framework of the follow-up to, and implementation of, its concluding observations on the seventh periodic report of Bhutan, the Committee on the Elimination of Discrimination against Women (CEDAW) considered that the recommendation to enact legislation on domestic violence had been implemented,[19] with Bhutan reporting that the

Domestic Violence Prevention Act, 2013, criminalized acts of domestic violence and looked at providing protection services to victims and survivors, including shelter and security.[20]

C. Institutional and human rights infrastructure and policy measures

6. In the Plan of Action it was noted that, although the Child Care and Protection Act, 2011, provided for the establishment of a national child welfare committee, currently there was no such committee.[21] The establishment of an effective organization within the Government was seen as critical for implementing the child protection programme and coordinating activities between stakeholders. That would allow the National Commission for Women and Children to focus on its mandate of developing policies, regulating and monitoring rights issues and reporting to international bodies.[22]

7. In the Plan of Action it was emphasized that the Bhutan multiple indicator survey, 2010, was a milestone, demonstrating a new capacity for collaboration in data management and providing quality data on the situation of women and children. There were opportunities to collect additional relevant data through the planned demographic health survey, 2012/2013, and the Bhutan living standards survey, 2012.[23]

8. UNICEF reported that the national youth policy in 2011 was informed by an assessment of vulnerable and at-risk adolescents to ensure its approach was equitable and reached the most vulnerable and excluded youth across the country.[24] In the Plan of Action it was noted that such recent policies as the youth policy, the early childcare and development policy (draft) and the special education policy addressed some child protection issues.[25]

9. UNICEF emphasized that Bhutan devoted a very high share of public expenditure to the social sectors.[26] The budget for 2011–2012 was confirmed as pro-poor, with about 25 per cent earmarked for the social sector, including 17 per cent for education and 7 per cent for health care.[27] In the draft United Nations Development Assistance Framework, Bhutan One Programme 2014–2018, it was stated that the Bhutanese concept of Gross National Happiness (GNH) promoted a balanced approach to development, encompassing good governance, conservation and community vitality, in addition to traditional socioeconomic progress indicators, and that this development paradigm, prudent economic management and political stability had brought about a significant rise in living standards and an improvement in development indicators.[28]

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies[29]

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
CEDAW	July 2009	–	–	Eighth and ninth reports due in 2014

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
CRC	October 2008	–	–	Third to fifth reports overdue since 2012. Initial report on OP-CRC-AC overdue since 2012 and initial report on OP-CRC-SC overdue since 2011

2. **Responses to specific follow-up requests by treaty bodies**

Concluding observations			
Treaty body	*Due in*	*Subject matter*	*Submitted in*
CEDAW	2011	Political participation and violence against women[30]	2013[31] Follow-up ongoing[32]

B. Cooperation with special procedures[33]

	Status during previous cycle	*Current status*
Standing invitation	No	No
Visits undertaken	Arbitrary Detention (1994) and follow-up (1996)	–
Visits agreed to in principle	–	Education
Visits requested	Freedom of religion or belief	–
Responses to letters of allegation and urgent appeals	During the period under review no communications were sent.	

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

10. In the draft Bhutan One programme the authors referred to the gender gap with respect to the participation of women and girls in politics and decision-making. They continued to lag behind in participation in the labour force, in rates of literacy and in participation in tertiary education. They were also vulnerable to violence.[34] In its study on the situation of violence against women in Bhutan, the National Commission for Women and Children recommended continued support for women, particularly rural women, as a priority, by building their financial autonomy through special economic empowerment programmes[35] and through the support of local government and financial institutions for access to loans for income generation and for opening a savings account.[36]

11. UNICEF pointed out that the projections of the National Statistics Bureau put the population in 2012 at around 720,000 (52 per cent male and 48 per cent female).[37]

According to the baseline survey for the Royal Society for Senior Citizens, a total of 101,563 Bhutanese (or around 14 per cent of the population) were estimated as "old", i.e. aged 55 years and above, of which 62 per cent were male and 38 per cent were female.[38]

12. In the Plan of Action it was explained that social discrimination, traditionally based on profession and to a smaller extent on area of residence, was extensive. Thus, blacksmiths, sweepers, serfs, migratory communities, residents living in areas where rice was not grown, highlanders, etc., were discriminated against. Although such discrimination was no longer rampant, some families, particularly among the older generation, still practised discrimination when it came to marriage and occasionally while serving food. However, that was in contravention of the law.[39]

13. The Plan of Action stated that 99.9 per cent of children were registered with a health card, which did not, however, entitle the holder to citizenship.[40] It was through registration with the Department of Civil Registration and Census that many of a child's rights were conferred, including the right to Bhutanese nationality.[41] It was also reported that many families would not name a newly born child for weeks, anticipating that a name would be given by a venerated monk. For such reasons, birth registration with the Department within a few weeks after birth could be problematic.[42] However, in an effort to streamline vital registration, the Department had computerized the civil registration system and reduced the timeline for registration of birth to 30 days. It had also drafted standard operating procedures for civil and death registration that were awaiting approval.[43]

14. In the Plan of Action, it was explained that the Citizenship Act (1985) guaranteed citizenship to individuals whose parents were both citizens of Bhutan. The Act guaranteed the right to apply for citizenship through naturalization to a person who had attained 21 years of age, or 15 years of age if either parent was a Bhutanese citizen. However, the person must have resided in the country for at least 15 years if either parent was a Bhutanese citizen and at least 20 years in all other cases and this period of residence must be recorded in the records of the Department of Civil Registration and Census.[44] The Plan of Action referred to concerns regarding the civil registration of children born to Bhutanese women where the identity of the father could not be ascertained. This was largely because both parents must be verified as citizens of Bhutan before the child could be granted civil registration. According to the Plan of Action, there were children in Bhutan who remained unregistered until naturalization could take place at the age of 15 or later.[45]

B. Right to life, liberty and security of the person

15. UNICEF reported that despite the pace of modernization, traditional practices such as early marriage, corporal punishment and child labour continued.[46]

16. UNICEF also stated that the use of corporal punishment in monastic institutions had been banned by a decree of the *Je Khenpo*, the highest authority in the monastic body. Although an assessment carried out in November 2010 found that physical punishment (spanking, beating and whipping) was still used as a last resort against recalcitrant novices in about 10 per cent of monastic institutions, most of them were now using alternative forms of discipline.[47] UNICEF also referred to article 11 of the Child Care and Protection Act, which provided that programmes and services established under it should be culturally appropriate, including any rules that might be required for disciplining children. Specific rules under the Act were still being drafted.[48]

17. UNICEF reported that violence against women was still an issue that needed to be recognized and addressed.[49] According to the Bhutan multiple indicator survey in 2010, 68 per cent of women aged between 15 and 49 reported that they believed that a husband was justified in beating his wife or partner in various circumstances, such as if she went out

without telling him; if she neglected the children; if she refused to have sex with him; or if she burnt the food.[50] The study on violence against women noted that most common non-partner perpetrators of physical and emotional violence were fathers and teachers, indicating an unsafe environment at home and at school.[51] UNICEF also noted that in rural areas where informal systems exist, including for reporting and action in cases of violence against children and women, some child protection cases might be adjudicated at the community level by officials who might not have been sensitized to child rights issues.[52] The study on violence against women recommended, inter alia, strengthening gender sensitization through incorporation of human rights-related content in formal and non-formal education.[53]

18. The Plan of Action referred to data from the 2010 multiple indicator survey, demonstrating that child marriage remained common at 30.8 per cent, despite its prohibition by law. This might be explained by the fact that formal marriage proceedings and the issuance of marriage certificates were relatively new and not traditionally practised. It was alleged that the practice of *sergemathang/khotkin* in the eastern part of the country, whereby marriages between cousins and in-laws were encouraged, could also increase child marriages. Reportedly, the Marriage Act 1980 did not contain any provision for services for children who were at risk of being subjected to child marriage. The absolute requirement for marriage certificates that was currently being advocated could help to discourage child marriage.[54]

19. According to the Plan of Action, the traditional practice of "night hunting", a courtship practice preceding marriage, has been misused. However, there was limited data available on the prevalence or context of night hunting, which was defined as a practice in rural parts of the country where a boy would go out at night and enter a girl's house for sex. In most instances, this would be prearranged between the boy and the girl.[55]

20. According to UNICEF, a survey carried out by the National Commission for Women and Children in 2009 among a sample of predominantly (90 per cent) out-of-school working children from different regions of Bhutan found that 14.3 per cent were below the minimum working age of 13 as specified in the Labour and Employment Act. Most of the children surveyed were working in the service sector as domestic helpers or in hotels and the agricultural sector. Eleven per cent of the sample reported being subjected to the worst forms of child labour (such as heavy labour) or to abuse in the form of confinement, denial of food and leisure and sexual abuse. Boys were more exposed to accidents and injuries and girls to sexual exploitation. Those working in the formal employment sector were reportedly doing so without contracts or clear job descriptions.[56]

21. In the framework of the follow-up to its concluding observations on the seventh periodic report of Bhutan, CEDAW noted that Bhutan had carried out a study on trafficking in persons.[57] Bhutan reported that programmes were being conducted to address lack of awareness and capacity.[58]

C. Administration of justice, including impunity and the rule of law

22. In the context of follow-up to its concluding observations, CEDAW did not receive information as to whether its recommendations had been implemented on increasing access to justice for women victims of violence and on adopting measures to increase the number of women working on the issue of violence against women, including in the police force and other law enforcement agencies.[59]

23. The Plan of Action stated that the Child Care Protection Act made provision for the establishment of a comprehensive national child justice system. Under both the constitution and the Act, children in conflict with the law were entitled to legal and other appropriate

assistance. In principle, free legal representation should extend to any child in the country, irrespective of nationality, but those provisions had not been translated into practice.[60]

24. UNICEF indicated that the Penal Code of Bhutan, 2004, as amended in 2011, set the age of criminal responsibility at over 12. The Penal Code and the Child Care and Protection Act provided alternatives to incarceration.[61] In the Plan of Action it was stated that, based on police records, 415 children had come into conflict with the law in the previous 12 months, of whom the vast majority (395) were male. (Data were only available where an arrest was made: 106 children (103 males and 3 females) were detained before sentencing and 46 received a custodial sentence. Of 55 children tried or convicted of a crime in 2011, the statistics of the Royal Court of Justice showed that 78 per cent of cases were for petty misdemeanours or misdemeanours. Given the prevalence of minor offences, there was concern that custodial sentences were reportedly handed down to 46 children, further indicating a need for reformed procedures to ensure that detention was used only as a last resort.[62]

D. Right to privacy, marriage and family life

25. In the country snapshot on HIV and men who have sex with men for Bhutan, December 2012, prepared by the United Nations Development Programme, the Joint United Nations Programme on HIV/AIDS and others, it was reported that there were criminal sanctions for consensual sex between male adults. Specifically, the Penal Code of 2004 criminalized sodomy or any other sexual conduct that was against the "order of nature". Penalties included a prison sentence of up to one year.[63] The National Strategic Plan II for Prevention and Control of STIs, HIV and AIDS in Bhutan, 2012–2016, called for review of article 213 of the Penal Code and the use of new guiding principles, many of which promoted enabling environments for men who have sex with men.[64]

26. In the Plan of Action it was reported that 5.4 per cent of children were orphans and 7.4 per cent lived without a biological parent.[65] The Child Care Protection Act, 2011, and the Child Adoption Act, 2012, provided guidance on alternative care and the rights of children without adequate family care. The Child Care Protection Act made provision for child homes, remand homes, special homes, closed facilities and after care homes; however, it did not make provision for any other form of alternative care, such as fostering or kinship care. There was an informal tradition of kinship care for which regulation or monitoring mechanisms were lacking.[66] One transit shelter operated in Thimphu; however, it lacked proper assessment processes to determine the needs and best interests of the children placed there.[67] UNICEF reported that Bhutan needed more social workers, particularly females, together with a formalized system of alternative care for children without primary caregivers or with disabilities.[68]

27. In the Plan of Action it was reported that an estimated 5,609 children (5,116 males and 493 females) lived in monastic institutions. Of those, 743 boys and no girls were reported to have joined due to lack of adequate family care.[69] UNICEF indicated that an assessment of the conditions of young monks and nuns carried out in November 2010 found that, in most institutions, sleeping quarters were small and overcrowded (with an average of between 6 and 15 children in one sleeping area). Sanitary conditions were poor and educational standards were also in need of improvement.[70]

28. In the Plan of Action it was reported that the Child Adoption Act, 2012, regulates both domestic and intercountry adoption.[71] In 2011, 12 children were adopted, of whom 11 were adopted domestically and one internationally. The courts had final authority in granting both domestic and intercountry adoption placements.[72] Most adoptions took place from the hospitals where mothers left their babies; others took place informally when single

mothers or women who were economically challenged gave up their children for adoption.[73]

E. Freedom of expression, association and peaceful assembly, and right to participate in public and political life

29. UNESCO encouraged Bhutan to develop self-regulatory mechanisms for the media, decriminalize defamation and place it in the civil code in line with international standards. It also invited Bhutan to consider adopting a freedom of information law that was in accordance with international standards.[74]

30. In the Plan of Action it was reported that all civil society organizations must be registered with the Civil Society Organization Authority. Civil society organizations were expected to adhere strictly to their documented mandate; to change their programme focus they would need to negotiate with the Authority.[75] In the draft Bhutan One programme it was indicated that it would be essential to further strengthen the capacity of civil society organizations to enable them to play their role effectively and to engage the media increasingly as a development change agent.[76]

31. The draft Bhutan One programme referred to the transition of Bhutan to a parliamentary democracy in 2008, indicating that challenges remained, such as the lack of a longstanding democratic culture in the country and the need to strengthen accountability. Effective and active participation was another area that would require continued attention, with a particular focus on the participation of women and youth.[77]

32. In the framework of follow-up to its concluding observations, CEDAW assessed the implementation of recommendations it had made on political participation. It considered that Bhutan had partially implemented one recommendation by carrying out studies on women and elections,[78] but had not implemented another recommendation as no temporary special measures had been taken. Not having received information on the review of criteria barring women's access to decision-making, CEDAW was unable to assess whether a further recommendation had been implemented. While noting the absence of awareness-raising activities about the importance of women taking up decision-making positions, CEDAW noted that Bhutan had taken some steps by training women for the functional literacy test and considered that another recommendation had been partially implemented.[79]

F. Right to work and to just and favourable conditions of work

33. UNICEF reported that the youth unemployment rate, currently 7.3 per cent, was one of the greatest challenges for Bhutan. In particular, in urban areas where the unemployment rate rose to 13.5 per cent, unemployed youth were vulnerable to risky and destructive behaviour.[80] Nearly 70 per cent of the total unemployed were women.[81] UNICEF recommended that the Government review and address gaps in technical and vocational education and training policies and develop new policies (e.g., covering minimum wage and targeted incentives for youth employment in the private sector).[82]

G. Right to social security and to an adequate standard of living

34. UNICEF reported that modernization and urbanization were widening the gaps between rich and poor and eroding traditional extended family ties. With extreme poverty increasing and traditional safety nets weakening, new demands were putting pressure on the social welfare network. Existing social protection measures were provided by the King's *kidu* (welfare) system, along with civil society and non-governmental organizations

(NGOs); however, there was not yet a government social security system in place.[83] Social protection was an area where capacity could be developed, with particular potential for focusing on vulnerable children. Social services for troubled adolescents and youth, including substance abusers, had come on stream only in the last three or four years. Complementarities between the *kidu* system, NGO initiatives and government responsibilities must be assured.[84]

35. According to the baseline survey for the Royal Society for Senior Citizens, the senior citizens who were worst hit by social misfortunes were those who had no non-labour incomes, such as a pension or other assets. Respondents to the survey suggested that people should make some form of contribution to insurance schemes while young, so that they could reap the benefits later in life. The establishment of old-age retirement homes was also recommended.[85]

36. UNICEF emphasized that poverty levels had significantly declined.[86] However, nearly a quarter of the population still lived below the official poverty line and while this number was going down, the proportion living in extreme poverty (currently 6 per cent) was going up. There were also regional disparities: people were poorer in the east and south of the country.[87] Although income poverty remained predominantly a rural phenomenon and rural development was a key to poverty reduction,[88] urban poverty was emerging as a new challenge,[89] with rental costs for housing playing a part.[90]

37. UNICEF pointed to disparities in income poverty between *dzongkhags* (districts) and *gewogs* (subdistricts).[91] In the draft Bhutan One programme it was reported that the *dzongkhags* of Zhemgang, Lhuentse, Mongar, Trashigang and Pemagatshel appeared to be at a clear disadvantage.[92] UNICEF referred to a 2010 study, which revealed large variations in poverty incidence within *dzongkhags*. For example, in Chukha *dzongkhag*, in the extreme south-west, rural poverty rates ranged from 6 per cent in Bjachho *gewog* to 55 per cent in Logchina *gewog*. Areas with high levels of poverty had poor access to roads, markets, electricity and education.[93]

38. According to UNICEF, malnutrition was responsible for nearly half of all deaths of children under the age of five. One mother in 10 gave birth to a low birth-weight baby. Early marriage (and subsequent early childbirth) was one reason for this, while poverty, illiteracy, inadequate knowledge of maternal health care and nutrition, food insecurity and inadequate antenatal care were all associated with the poor nutritional status of children under the age of five, of whom one third were stunted. The knowledge of parents and caregivers about child nutrition was weak and micronutrient deficiencies were prevalent among women and children. Food security was still a challenge for many families: 1 household in 10 had insufficient food to feed the family for a quarter of the year.[94] In the draft Bhutan One programme, it was suggested that addressing chronic malnutrition would require a comprehensive approach that included providing a healthy environment, safe water and sanitation and proper childcare, encouraging exclusive breastfeeding and improving education and the health of mothers.[95]

H. Right to health

39. Despite the achievements of the community-based health system, with health services reaching 95 per cent of the population, UNICEF observed that a coverage rate of two doctors per 10,000 persons was insufficient. Inadequate levels of staffing at basic health units, especially in remote areas, and lack of adequate capacity development of community-level health workers had become a constraint on the quality of health service delivery.[96] With most maternal and neonatal deaths occurring in the first two days after birth,[97] the deployment and retention of more female health workers was one of the

necessary means to encourage women to use antenatal and postnatal services and to deliver their babies in health facilities.[98]

40. According to UNICEF, in terms of specific outcomes, Bhutan was at risk of missing Millennium Development Goal 4 A: reducing the mortality rate of children under five by 2015. There was a clear need to address the causes of diarrhoeal diseases, for example, by providing piped water to all households, expanding access to improved sanitation facilities and instilling behaviour change on hand-washing with soap. There was also a need to address acute respiratory infections by reducing air pollution in homes from solid-fuel cooking fires. More emphasis needed to be placed during women's antenatal and postnatal care visits on the importance of exclusive breastfeeding and appropriate complementary feeding for young children.[99]

41. It was reported in the draft Bhutan One programme that young people were particularly vulnerable to reproductive health issues, especially given the high rates of early childbearing. Sexually transmitted infections and HIV rates were disproportionately high among young people, owing in part to changing social norms and the lack of youth-friendly health services.[100] UNICEF suggested that services on subjects that concern young people, especially adolescent girls, such as reproductive tract infections and sexual health education, needed to be integrated into and expanded in education and the health-care services, in order to reduce dropout from schools and increase the utilization of health-care services by young women.[101]

42. In the country snapshot it was reported that an estimated 988 people, or fewer than 0.1 per cent of the adult population, were living with HIV in Bhutan, making it a low-prevalence country. A recent behavioural assessment in two major towns found evidence of high-risk behaviour among key affected populations, including men who have sex with men.[102] While HIV prevalence was extremely low, new cases were emerging, leading UNICEF to call for constant education and awareness-raising, particularly among youth and at-risk groups.[103]

43. According to the draft Bhutan One programme, the impact on health due to climate change was becoming visible with the emergence of new patterns of vector-borne diseases, such as malaria, dengue, *chikungunya* and water-borne diseases. Additionally, the prevalence of non-communicable diseases had risen considerably and now accounted for 75 per cent of the reported burden of disease.[104]

I. Right to education

44. UNICEF noted that the Bhutan multiple indicator survey in 2010 revealed that 26 per cent of young people aged between 15 and 24 had never attended formal school. Only 40 per cent of children were enrolled at the appropriate age. There were huge disparities in school attendance between rural and urban settings and strong correlations between the economic status of districts and the average level of schooling attained. Urban secondary-level attendance rates were below 50 per cent. Although Bhutan had surpassed the Millennium Development Goal targets for gender equality, this applied only at primary and lower secondary levels. Female enrolment in schools declined steadily with the higher grade levels and only 8 per cent of students who transferred to tertiary institutes were female.[105] The adult literacy rate was over 52.8 per cent for the whole population, but only 29 per cent for rural women. Non-formal education and other innovations had boosted literacy.[106]

45. UNICEF pointed out that the highest priority must be to encourage young women to complete their secondary education.[107] Sanitation in schools needed improvement, particularly to boost school enrolment among girls.[108] Improvement of retention and

completion rates needed constant attention, especially to enable more female students to transition through secondary to tertiary education. Expanding the very limited provision of vocational and technical training and education would require investment and the development of relevant course curricula. Sustained effort was needed to reach the 2 per cent of school-age children who remained out of school, mostly owing to poverty. Others in the same situation included migratory communities and children with special needs. Special efforts were also needed to reach children with disabilities and working children.[109] UNICEF suggested expanding the early childhood and care development programme to benefit members of communities who are often excluded, such as children with disabilities and their families.[110]

46. UNESCO encouraged Bhutan, inter alia, to intensify its efforts to make primary education compulsory, free of all costs and accessible for all children; and to implement additional measures to ensure the right to education for children from ethnic minorities and for children living in rural and remote areas.[111]

J. Persons with disabilities

47. UNICEF referred to the results of a study on disability among children aged between 2 and 9, which indicated the prevalence of all types of disability at 21 per cent.[112]

K. Migrants, refugees and asylum seekers

48. Regarding the people in refugee camps in the eastern part of a neighbouring country, UNICEF stated that the Government of Bhutan remained committed to resolving the issue through the bilateral process based on past agreements. The readiness of Bhutan to resume bilateral talks with the Government of the neighbouring country and the willingness of the United Nations to support those efforts, if so requested, had been reiterated at the eleventh round-table meeting in September 2011.[113]

L. Right to development and environmental issues

49. In the draft Bhutan One programme it was reported that the relatively high per capita income of the country derived mainly from the substantial revenues it earned from the export of hydropower. That was a capital-intensive economic activity with low labour requirements. The economy was still very much dominated by agriculture, raising livestock, forestry and logging, and for many rural communities this translated into subsistence living close to the poverty line and vulnerability to external shocks and changes.[114]

50. In the draft Bhutan One programme it was also reported that the endemic threat of natural disasters and vulnerability to climate change, given the frequency of natural disasters, would continue to have a significant impact on economic development, in particular on the hydropower sector, which was disproportionately affected by water scarcity and unpredictability, and on the agriculture sector owing to loss of arable land and livelihood opportunities. Bhutan's cultural heritage also came under threat in those circumstances with direct consequences for community resilience given the importance of religious buildings in particular as part of local coping systems.[115]

51. In the draft Bhutan One programme it was emphasized that rapid urbanization had been identified as one of the major emerging challenges, with over 31 per cent of the total population now living in urban areas. It was estimated that by 2020, the urbanization level would be between 50 and 73 per cent and that there would be an additional urban

population of between 180,000 and 360,000. Rapid urbanization was expected to give rise to a series of problems, such as increasing congestion, sanitation issues and health-related problems, environmental concerns and socioeconomic problems, including more poverty and greater economic disparities, and higher levels of unemployment and underemployment, especially among the youth.[116]

Notes

[1] Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Bhutan from the previous cycle (A/HRC/WG.6/6/BTN/2).

[2] The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art.5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.

[4] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

[5] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[6] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed

Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

[7] 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

[8] International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

[9] International Labour Organization Convention No.169 concerning Indigenous and Tribal Peoples in Independent Countries and Convention No.189 concerning Decent Work for Domestic Workers.

[10] UNESCO submission to the universal periodic review of Bhutan, para. 35 and see also para. 37.

[11] UNICEF, *A Situation Analysis of Children, Youth and Women in Bhutan, 2012* (2013), p.1.

[12] National Commission for Women and Children, "Mapping and assessment and National Plan of Action for Child Protection" (2012), p.42.

[13] Ibid., p.23.

[14] Ibid., p.15.

[15] Ibid., p.23.

[16] Ibid., p.16.

[17] Ibid., p.17.

[18] Ibid., p.15.

[19] Letter from CEDAW to the Permanent Mission of Bhutan to the United Nations Office and other international organizations in Geneva, dated 15 November 2013, available from http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BTN/INT_CEDAW_FUL_BTN_15775_E.pdf (accessed on 10 January 2014).

[20] CEDAW/C/BTN/CO/7/Add.1, pp. 4 and 5.

[21] National Plan of Action for Child Protection, p. 35.

[22] Ibid., p. 42.

[23] Ibid., p. 40.

[24] *Situation Analysis of Children, Youth and Women*, p.104.

[25] National Plan of Action for Child Protection, pp. 5 and 14.

[26] *Situation Analysis of Children, Youth and Women*, p. 9.

[27] Ibid., p.1.

[28] Draft United Nations Development Assistance Framework, draft "Bhutan One programme 2014–2018", May 2013, p. 10.

[29] The following abbreviations have been used for this document:

CEDAW	Committee on the Elimination of Discrimination against Women
CRC	Committee on the Rights of the Child.

[30] CEDAW/C/BTN/CO/7, para. 42.

[31] CEDAW/C/BTN/CO/7/Add.1.

[32] Letter from CEDAW to the Permanent Mission of Bhutan to the United Nations Office and other international organizations in Geneva., dated 15 November 2013.

[33] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.

[34] Draft Bhutan One programme, para.63.

[35] National Commission for Women and Children, "Study on the situation of violence against women in Bhutan" (2012), p.94, recommendation 4.

[36] Ibid., p.93.

[37] *Situation Analysis of Children, Youth and Women*, p.8.

[38] UNDP and the Royal Society for Senior Citizens, "Baseline survey for Royal Society for Senior

Citizens", p.6.
[39] National Plan of Action for Child Protection, p. 18.
[40] Ibid., p. 16.
[41] Ibid., p. 8.
[42] Ibid., pp. 15 and16.
[43] Ibid., p. 15.
[44] Ibid.
[45] Ibid., p. 16.
[46] *Situation Analysis of Children, Youth and Women*, p. 106.
[47] Ibid., p. 85.
[48] Ibid., pp. 18 and 75.
[49] Ibid., p.4.
[50] Ibid., p.4, footnote 17. See also, National Statistics Bureau, "Bhutan multiple indicator survey 2010", pp.174–176.
[51] Situation of Violence Against Women in Bhutan, pp. 60, 63 and 68.
[52] *Situation Analysis of Children, Youth and Women*, p.19.
[53] Study on the situation of violence against women in Bhutan 2012, p. 94, recommendation 1.
[54] National Plan of Action for Child Protection, p. 17.
[55] Ibid., p. 20.
[56] *Situation Analysis of Children, Youth and Women*, 2013, pp. 82 and 83.
[57] Letter from CEDAW to the Permanent Mission of Bhutan to the United Nations Office and other international organizations in Geneva., dated 15 November 2013.
[58] CEDAW/C/BTN/CO/7/Add.1, p. 6.
[59] Letter from CEDAW to the Permanent Mission of Bhutan to the United Nations Office and other international organizations in Geneva, dated 15 November 2013.
[60] National Plan of Action for Child Protection, p. 22.
[61] *Situation Analysis of Children, Youth and Women*, p.80.
[62] National Plan of Action for Child Protection, p. 9.
[63] UNDP, UNAIDS and others, "Country snapshot on HIV and men who have sex with men, Bhutan", December 2012, p.2.
[64] Ibid., p.2.
[65] National Plan of Action for Child Protection, p. 9.
[66] National Plan of Action for Child Protection, p. 21.
[67] National Plan of Action for Child Protection, p. 29.
[68] *Situation Analysis of Children, Youth and Women*, p. 107.
[69] National Plan of Action for Child Protection, p. 9.
[70] *Situation Analysis of Children, Youth and Women*, p. 84.
[71] National Plan of Action for Child Protection, p. 15.
[72] Ibid., p. 29.
[73] Ibid., p. 30.
[74] UNESCO submission, paras. 42–44.
[75] National Plan of Action for Child Protection, p. 38.
[76] Draft Bhutan One programme, para. 59.
[77] Ibid., para. 57.
[78] See also, National Commission for Women and Children with support from the United Nations, "Study report on participation of women in 2011 local government election", 2012..
[79] Letter from CEDAW to the Permanent Mission of Bhutan to the United Nations Office and other international organizations in Geneva, dated 15 November 2013.
[80] *Situation Analysis of Children, Youth and Women*, p.3.
[81] Ibid., p.4.
[82] Ibid., p.100.
[83] Ibid., p.4.
[84] Ibid., p.73.
[85] Baseline survey for Royal Society for Senior Citizens, p.44.
[86] *Situation Analysis of Children, Youth and Women*, p.9.
[87] Ibid., p.3.

[88] Ibid., p.10.
[89] Ibid., p.3.
[90] Ibid., p.11.
[91] Ibid., p.10 and draft Bhutan One programme, para. 50.
[92] Draft Bhutan One programme, para. 52.
[93] *Situation Analysis of Children, Youth and Women*, p.10.
[94] Ibid., pp. 2 and 3.
[95] Draft Bhutan One programme, para. 55.
[96] *Situation Analysis of Children, Youth and Women*, p.105.
[97] Ibid., p.23.
[98] Ibid., p.3.
[99] Ibid., p.105. See also, p.3.
[100] Draft Bhutan One programme, para. 65.
[101] *Situation Analysis of Children, Youth and Women*, p.3.
[102] Country snapshots on HIV and men who have sex with men, p.1.
[103] *Situation Analysis of Children, Youth and Women*, p.4.
[104] Draft Bhutan One programme, para. 66.
[105] *Situation Analysis of Children, Youth and Women*, p.106.
[106] Ibid., p.3.
[107] Ibid., p.106.
[108] Ibid., p.4.
[109] Ibid., p.106.
[110] Ibid., p.54.
[111] UNESCO submission, paras. 38–40.
[112] *Situation Analysis of Children, Youth and Women*, p.4.
[113] Ibid., p.18.
[114] Draft Bhutan One programme, para. 71.
[115] Ibid., para. 67.
[116] Ibid., para. 61.